



**Office of Carver County Regional Railroad Authority**  
Carver County Government Center  
Human Services Building  
602 East Fourth Street  
Chaska, MN 55318-1202  
Phone: 952 361-1510  
Fax: 952 361-1581

221397  
**FILED**

JAN 25 2007

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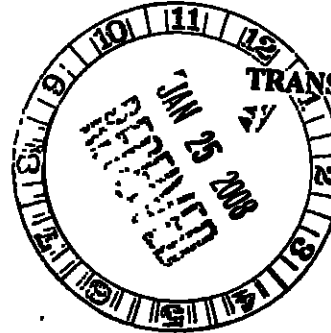
JAN 25 2007

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TRANSPORTATION BOARD**

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JAN 25 2008

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Gayle O Degler  
County Commissioner  
District #1

January 24, 2008

Secretary Anne Quinlan  
Surface Transportation Board  
395 E Street S.W.  
Washington, DC 20024

Tom Workman  
County Commissioner  
District #2

**RE: Docket No. STB No. AB-33-255 (Sub-No. 255), Union Pacific  
Railroad Company-Abandonment-In Carver and Scott Counties,  
Minnesota, (Chaska Industrial Lead)**

Randy Maluchnik  
County Commissioner  
District #3

Dear Secretary Quinlan:

On behalf of the Minnesota River Valley Rail Preservation Project, a collaboration of five bodies politic existing under the laws of the State of Minnesota, I have enclosed an original and ten copies of a letter requesting a Public Use Condition and Interim Trail Use Condition for the Chaska Industrial Lead. Also, included is a check of \$200.00 to cover the filing fee.

Tim Lynch  
County Commissioner  
District #4

It is my understanding that government agencies such as ours may be exempt from the filing fee. If we are exempt, please return the check to me at the above address.

James M Ische  
County Commissioner  
District #5

Thank you in advance for your consideration.

Sincerely,

Jim Ische  
Carver County Regional Railroad Authority on behalf of  
The Minnesota River Valley Rail Preservation Project

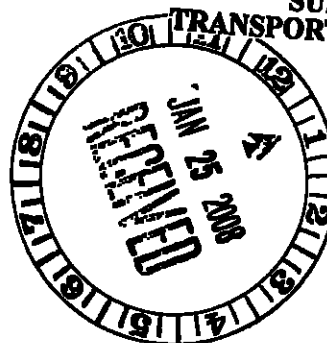


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January 24, 2008

Gayle O. Degler  
County Commissioner  
District #1

Secretary Ann Quinlan  
Surface Transportation Board  
395 E Street S.W.  
Washington, DC 20423-0001

**Re: Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scott Counties, STB Docket No. AB-33(Sub No. 255)**

Tom Workman  
County Commissioner  
District #2

Dear Secretary Quinlan

This request is filed on behalf of The Minnesota River Valley Rail Preservation Project ("Project"), which is a collaboration of five bodies politic existing under the laws of the State of Minnesota interested in transportation, recreation and public utilities hereinafter referred to as "proponent."

Randy Maluchnik  
County Commissioner  
District #3

The Carver County Regional Rail Authority (CCRRA) on behalf of the proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization of the Chaska Industrial Lead from Milepost 38.6 near Merriam to Milepost 33.0 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota

Tim Lynch  
County Commissioner  
District #4

**A. Request For Public Use Condition**

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, public utilities, future rail use and other public transportation uses, flood protection levee, and to place the following conditions on the abandonment:

James M. Ische  
County Commissioner  
District #5

1. An order prohibiting the carrier from disposing of the corridor. Justification for this condition is the rail corridor in question is planned for future transportation, utilities and recreation purposes and will connect to the metropolitan area regional trail system. The corridor will make an excellent interim trail and is a part of Carver County's Comprehensive Plan, and is included in Scott County's draft Comprehensive Plan update. Secondly, a portion of the corridor serves as a flood protection levee for the City of Carver. In addition, the corridor provides an important wildlife habitat, open space, a public utility corridor and its preservation as an interim recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble and review title information and to commence negotiations with Union Pacific Railroad Company.

**FILED**

**JAN 25 2007**

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2 An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period sought is 180 days from the effective date of the abandonment authorization for the same reasons as indicated above.

#### **B. Request For Interim Trail Use**

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request.

#### **STATEMENT OF WILLINGNESS TO ASSUME**

##### **FINANCIAL RESPONSIBILITY**

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, the proponent is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Union Pacific Railroad Company, providing the negotiations between proponent and the Union Pacific result in an acceptable purchase price.

The property, known as the Chaska Industrial Lead, extends from Milepost 38.6 near Merriam to Milepost 33.0 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (Sub No. 255).

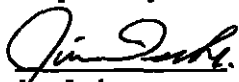
A map depicting the right-of-way is attached.

The proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

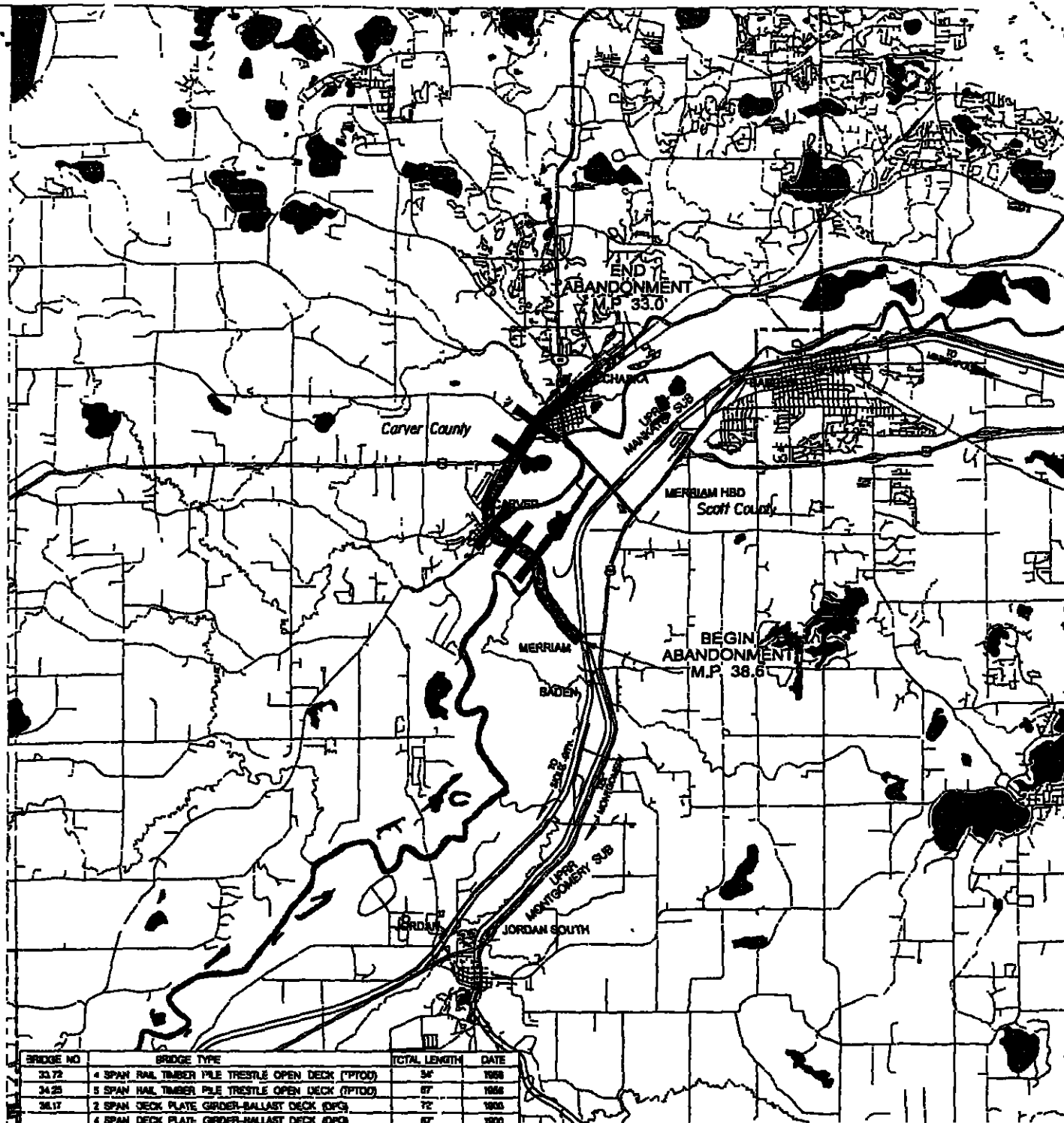
#### **CERTIFICATE OF SERVICE**

By my signature below, I certify service upon Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179-1580 by U.S. Mail, postage pre-paid, first class, this 24th day of January, 2008.

Respectfully submitted,

 Board Chair  
Jim Ische

Carver County Regional Railroad Authority on behalf of  
The Minnesota River Valley Rail Preservation Project



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
33.72	4 SPAN RAIL TIMBER PILE TREESTLE OPEN DECK (TPTOD)	34'	1968
34.25	5 SPAN RAIL TIMBER PILE TREESTLE OPEN DECK (TPTOD)	67'	1968
36.17	2 SPAN DECK PLATE GIRDER-BALLAST DECK (DPG)	72'	1900
	4 SPAN DECK PLATE GIRDER-BALLAST DECK (DPG)	67'	1900
	1 SPAN BEAM	32'	1900
	25 SPAN RAIL TIMBER PILE TREESTLE OPEN DECK (TPTOD)	371'	1900
36.77	30 SPAN RAIL TIMBER PILE TREESTLE OPEN DECK (TPTOD)	529'	1904
37.14	10 SPAN RAIL TIMBER PILE TREESTLE OPEN DECK (TPTOD)	136'	1947

### LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

### CHASKA INDUSTRIAL LEAD

MP 33.0 TO MP 38.6  
TOTAL OF 5.60 MILES  
3.23 MILES IN CARVER COUNTY  
2.37 MILES IN SCOTT COUNTY

UNION PACIFIC RAILROAD CO.  
CHASKA INDUSTRIAL LEAD  
MINNESOTA

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: O:\abandonments\ab33\_255\_chaska\_v8.dgn

DATE: 10-Apr-07 11:19